

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, California 95814



January 22, 2007

ALL COUNTY LETTER NO. 07-07

TO: ALL COUNTY WELFARE DIRECTORS
ALL CIVIL RIGHTS COORDINATORS
ALL FOOD STAMP COORDINATORS
ALL CalWORKs COORDINATORS
ALL CONSORTIA PROJECT MANAGERS

REASON FOR THIS TRANSMITTAL

- ☐ State Law Change
- ☐ Federal Law or Regulation Change
- ☐ Court Order
- ☐ Clarification Requested by One or More Counties
- ☐ Initiated by CDSS

SUBJECT: FINAL RULE ON CIVIL RIGHTS DATA COLLECTION

REFERENCE: FEDERAL REGISTER VOL. 71, NO. 96, DATED THURSDAY,
MAY 18, 2006 AND FOOD AND NUTRITION SERVICE
ADMINISTRATIVE NOTICE 06-21, AUGUST 15, 2006

The purpose of this letter is to provide implementation instructions on the new racial and ethnic data collection and reporting requirements for the Food Stamp Program. Final federal rules have been published (Federal Register Vol. 71, No.96, dated Thursday, May 18, 2006), which direct states to implement the revised collection and reporting of racial/ethnic data on persons applying for or receiving benefits from the Food Stamp Program (FSP). This new rule may be implemented anytime after June 19, 2006, but no later than April 1, 2007.

Prior to the above final rule, federal regulations at 7 CFR 272.6 (g) and (h) required the State to obtain and report data on five racial/ethnic groups:

- American Indian or Alaskan Native;
- Asian or Pacific Islander;
- Black (not of Hispanic origin);
- Hispanic; and
- White

In addition to the above racial/ethnic groups, the California Department of Social Services (CDSS) FSP collects "ethnicity" group information for: Filipinos, Cambodians, Chinese, Japanese, Koreans, Guamanians, Samoans, Vietnamese, Asian Indians, Laotians, and Hawaiians as required by state law, Government Code Section 8310.5.

Revised Ethnic and Racial Categories and Data Reporting:

Revised federal ethnic and racial data collection and reporting standards require the inclusion of new or revised ethnic and racial categories on applications and data input screens, and further requires all of the following:

- 1) The use of separate questions for collecting ethnicity and race data;
- 2) the ethnicity question be asked first, followed by race; and
- 3) the individual be allowed to report/choose more than one race.

The revised ethnic data collection and reporting categories are:

- 1) Hispanic or Latino
- 2) Not Hispanic or Latino

The revised racial and multi-racial categories for collection and reporting are:

- American Indian or Alaskan Native
- Asian
- Black or African American
- Native Hawaiian or other Pacific Islander
- White

In addition to the five revised race categories referenced above, the Food and Nutrition Service (FNS) also requires the reporting of data for the following multi-race combinations:

- American Indian or Alaskan Native and White
- Asian and White
- Black or African American and White
- American Indian or Alaskan Native and Black or African American
- The balance of the respondents reporting a multi-racial background that does not fit one of the above multi-racial categories or are more than two races.

The county must report the number of persons who are Hispanic or Latino in each of the 10 racial categories and also report the number of non-Hispanics or Latinos in each of the 10 racial categories above, plus total counts.

Guidelines for the Collection of Ethnic and Race Data:

1. The applicant/recipient's provision of ethnicity and race information is voluntary.
2. The question on Hispanic or Latino ethnicity must be asked first, followed by race.
3. Self identification is the preferred method of obtaining ethnic and racial data.
4. If the applicant or recipient declines to identify his/her ethnicity and race, the caseworker should use their best judgment through observation to identify which category best applies.
5. If face-to-face observation is not possible, e.g., telephone interview, and the individual declines to report his or her ethnicity and race, the application should be left blank and the data field on the input screen should be marked as worker unable to determine race.

The revised ethnic and race data collection and reporting requires the revision of the following forms:

- DFA 285-A1 Application for Food Stamp Benefits (attached)
- SAWS 1 (The revised form will be sent under a separate All County Letter)
- DFA 358F - Food Stamp Participants by Ethnic Group, Fed-Only and Combined Households (The revised form will be sent under a separate All County Letter.)
- DFA 358S - Food Stamp Participants by Ethnic Group, State-Only (The revised form will be sent under a separate All County Letter.)

Counties must begin using the revised DFA 285A1 and SAWS 1 forms on April 1, 2007. The effective date for use of the revised ethnic and race data collection forms has been set to allow counties and the Statewide Automated Welfare System consortia the maximum time to reprogram their automated systems. The revised ethnic and race data is to be collected at application and recertification; counties are not required to convert their entire caseload on April 1, 2007.

The DFA 285-A1 and SAWS 1 has been revised to first determine Hispanic or Latino ethnicity and also allow the individual to select one or more races. Additionally, in accordance with Government Code Section 8310.5, individuals who indicate they are of Asian or Native Hawaiian or Pacific Islander background are asked to further specify their ethnic identity. The ethnic and race categories on the SAWS 1 and DFA 285-A1 are presented as follows:

A. Ethnicity (Everyone must also answer B)

Are you Hispanic or Latino? ☐ Yes ☐ No

B. RACE/ETHNIC ORIGIN – Check all boxes that apply to you.

☐ American Indian or Alaskan Native

☐ Black or African American

☐ Asian (If checked, please select one or more of the following)

- ☐ Filipino ☐ Chinese ☐ Japanese ☐ Korean ☐ Vietnamese
- ☐ Asian Indian ☐ Cambodian ☐ Laotian
- ☐ Other Asian (specify)_____

☐ Native Hawaiian or Other Pacific Islander (if checked, please select one or more of the following)

- ☐ Native Hawaiian ☐ Guamanian ☐ Samoan
- ☐ Other (specify)_____

☐ White

Data Collection Scenarios:

- The individual checks the box indicating she/he is Hispanic and declines to state her/his race. The county worker should inform the individual that provision of the race information is voluntary and the worker will use their best judgment to select the race or multi-race combination that best applies.
- The individual checks the box indicating she/he is Chinese and declines to complete the other ethnic or race data questions. The county worker should inform the individual that the information is voluntary and the worker will use his/her best judgment to select the ethnicity and race that best applies. In this instance, the worker could reasonably assume that the individual is not of Hispanic or Latino ethnicity and unless otherwise indicated by visual observation, the individual's race is most likely Asian.
- The individual declines to state her/his ethnicity or race and the county worker finds it difficult to visually determine the individual's ethnicity or race. The county worker should inform the individual that the information is voluntary and the worker will have to use his/her best judgment and select the ethnicity and race that best applies. The worker could examine the individual's primary language and/or surname for clues to the individual's ethnicity or race. Again, the county worker is expected to use his/her best judgment to determine which ethnicity and race best applies to the individual.
- The individual is being interviewed via telephone and declines to state her/his ethnicity and race. The worker should note that the individual declines to state her/his race and visual observation is not possible and leave the ethnicity and race questions blank.

County Reporting of Ethnic and Race Data:

The DFA 358F and DFA 358S collect data on households that participate in the Food Stamp Program during July of each year. The DFA 358F and DFA 358S are being revised to capture the new ethnic and racial categories and provide a corresponding breakdown of the households that participate in the Food Stamp Program. Counties will receive the new DFA 358 F and S, along with detailed instructions for completing the forms early in 2007.

If you have any questions regarding the DFA 358F or the DFA 358S, please contact Sharon Shinpaugh, Data Systems and Survey Design Bureau, at (916) 651-8269. If you have any questions regarding the SAWS 1, please contact your CalWORKs county consultant. For questions regarding the DFA 285-A1, please contact Frederick Hodges III, Food Stamp Policy Bureau, at (916) 653-7393.

Sincerely,

Original Document Signed By:

ERIC FUJII,
Deputy Director
Administration Division

CHARR LEE MESTKER
Deputy Director
Welfare to Work Division

Attachment



**Providing Nutritional
Assistance to All Ages**

Application For

Food Stamp Benefits

Follow these simple steps to apply for food stamp benefits.

Note: If you have a disability or need help completing this application, please let a worker know and someone will help you.

Step 1: Fill out as much of this application as you can, sign on page 1, and return it to the local food stamp office. We need at least your name, address and signature. **If you are without money for food, you may be able to get emergency food stamp benefits in three (3) days. You need to answer all checked (✓) questions on all pages.**

Step 2: You will be scheduled for an interview with a food stamp worker who will go over this application with you and will ask you more questions to complete the application process.

Step 3: You must bring proof of identification and income to your interview. You should bring other items as well, such as rent receipts, utility bills, or paycheck stubs. If you do not report and provide proof of expenses, no deduction from your income will be allowed for those expenses.

Important Information for Immigrants

- You can apply for and get food stamp benefits for eligible family members, even if your family includes other members who are not eligible because of immigration status. For example, immigrant parents may apply for food stamp benefits for their U.S. citizen or qualified immigrant children, even though the parents may not be eligible for benefits.
- You do not have to provide immigration status information, social security numbers, or documents for any family members who are not eligible for food stamp benefits because of immigration status and who are not asking for food stamp benefits.
- Using food stamp benefits will not affect your immigration status or the immigration status of your family. Immigration information is private and confidential.

Applying For Food Stamp Benefits

Useful Tips and Information

Please read the following—there is nothing to fill out on this page.

WHAT WE MEAN WHEN WE SAY

To help you understand some of the words used in the application and the interview, refer to the definitions below.

You, Anyone, Everyone — Any and all persons who live in your home and who are applying for food stamp benefits. When we need information about the other people in your home, we will ask you.

Your Household — People living in the home who buy and prepare food together and are applying for food stamp benefits.

Food Stamp Benefits — Benefits for low-income households to help buy food.

Food Stamps Expedited Service — Food stamp benefits available to you within three (3) days.

Resources — Money you have, such as:

- Cash on hand, uncashed checks, money in checking accounts, savings accounts, or savings certificates, etc.
- Trust deeds, notes receivable, stocks or bonds, etc.

Utilities — Gas, electricity, heating, fuel, telephone (basic rate), utility installation, garbage and trash pickup, water, sewage, etc.

Income — Money received or expected to receive this month, such as:

- Earnings, welfare, child support, SSI or Social Security, or veterans payments
- Pension or retirement payments
- Unemployment (UIB), State Disability (SDI) or other disability
- Strike funds, payments from roomers, school grants and loans
- Cash gifts, cash winnings, or any other cash payments

Cash Aid — California Work Opportunity and Responsibility to Kids (CalWORKs), Refugee Assistance, or your county's local Cash Aid program [General Assistance or General Relief (GA/GR), or Cash Assistance Program for Immigrants (CAPI)].

OTHER THINGS YOU SHOULD KNOW

- **You may wonder why we ask some of the questions. All questions are required by Federal/State law to determine your eligibility for food stamp benefits.**
- You can apply for food stamp benefits and cash aid at the same time and have only one interview for both, except when you apply for GA/GR as a cash aid.
- If your food stamp benefits, Authorization Document (AD) or issuance cards are lost in the mail, you must report it before the end of the month in which you should have gotten them. But if they were stolen or destroyed, you must report your loss within ten (10) days of the incident.
- If you receive too many food stamp benefits, you will have to pay them back and/or your benefits may be lowered or stopped. Your Social Security Number (SSN) may be used to collect the amount of benefits owed, through the courts, other collection agencies and for federal government collection action.
- Your SSN will be used to check identity to prevent duplicate participation and to verify eligibility and benefits. The SSN will be used in computer matches to check your income and resources with records from tax, welfare, employment, the Social Security Administration and other agencies. Differences may be checked out with you and with employers, banks, or others. Fraudulent participation in the Food Stamp Program may result in criminal or civil action or administrative claims.
- Providing your SSN is not required when you first submit your application. However, you will be asked to give us information to figure the eligibility and benefits for other members of your household. You usually have to give us your SSN(s) or proof of application for your SSN(s) before we can give you any benefits. We can deny you or any member of your household benefits for failure to provide an SSN.

COMPLAINTS AND STATE HEARINGS

If you have a complaint, try to work it out with the county. If you can't work it out, you may call or write to:

California Department of Social Services
744 P Street, MS 20-23
Sacramento, CA 95814
Phone Number: 1-800-952-5253,
or for the hearing or speech impaired call
1-800-952-8349

If you think any action taken by the County is wrong, you can ask for a State Hearing by writing to your local county welfare office or by calling the phone numbers listed above. You must ask for a hearing within ninety (90) days of the action and tell why you want one.

The law says that all applicants/recipients for aid, benefits or services are to be treated fairly without regard to race, color, national origin, political affiliation, religion, marital status, sex, age or disability.

If you think you have been discriminated against, you may file a complaint by:

1. Contacting your county's civil rights coordinator; or
2. Writing to or calling:
The state's Civil Rights Bureau, M.S. 15-70,
P.O. Box 944243, Sacramento, CA 94244-2430
1-866-741-6241 (Toll Free)
3. Or for Food Stamp benefits only, writing to:
Secretary of Agriculture
U.S. Department of Agriculture
14th & Independence Avenue, S.W.
Room 200A
Administration Building
Washington, D.C. 20250

Application for Food Stamp Benefits

Applicant Information

- ✓ 1. Please fill out the following personal information for the person requesting food stamp benefits.

Name (Last, First, Middle)	
Telephone Number (include area code)	
Home Address (Street , P.O Box, Apt. #)	
City, State, Zip Code	
Mailing address (if different from above)	
City, State, Zip Code	

2. The food stamp office can provide an interpreter at no cost to you. Would you like an interpreter at your interview? ☐ Yes ☐ No If "Yes," what language? _____

3. To help us improve our services to you, please complete A, B, and C below. Check all that apply to you. The law says we must record your ethnic group, race, and language. If you do not complete these items, the county will do it for you. This will not affect your eligibility.

A. ETHNICITY (Everyone must also answer B)

Are you Hispanic or Latino? ☐ Yes ☐ No

B. RACE/ETHNIC ORIGIN - Check all boxes that apply to you. If you do not complete these items, the county will do it for you. This will not affect your eligibility.

☐ American Indian or Alaskan Native

☐ Black or African American

☐ Asian (If checked, please select one or more of the following)

☐ Filipino ☐ Chinese ☐ Japanese ☐ Cambodian ☐ Korean

☐ Vietnamese ☐ Asian Indian ☐ Laotian ☐ Other Asian (*specify*) _____

☐ Native Hawaiian or Other Pacific Islander (If checked, please select one or more of the following)

☐ Native Hawaiian ☐ Guamanian ☐ Samoan ☐ Other (*specify*) _____

☐ White

C. PRIMARY LANGUAGE:

☐ English ☐ Spanish ☐ Lao ☐ Tagalog ☐ American Sign

☐ Cantonese ☐ Cambodian ☐ Vietnamese ☐ Russian ☐ Other (*specify*) _____

- ✓ 4. Someone in the household is: (check more than one if applicable)

☐ Disabled

☐ Homeless

☐ Elderly (60 & older)

☐ Migrant/Seasonal Farmworker –

☐ Without money for food

Has your only income stopped? ☐ Yes ☐ No

5. Do you have a physical or mental condition that requires special help during your interview with a food stamp worker? ☐ Yes ☐ No

- ✓ 6. How much is your rent or mortgage this month? \$ _____

- ✓ 7. How much are your utilities this month, if separate from your rent or mortgage? \$ _____

I have been informed about getting emergency food stamp benefits within three (3) days.

Signature _____

Date _____

County Use Only:

Case Name _____ **Case #** _____

Application Type: ☐ New ☐ Recert **Date received by County** _____

Screened for Expedited Service (ES)? ☐ Yes ☐ No **ES Eligible** ☐ Yes ☐ No

Application for Food Stamp Benefits

Household Information

8. Complete the following information for all persons in the home, including yourself. The County will use this information to determine eligibility only.

Name (Last, First, Middle)	Social Security Number (If none, write none)	Relationship (i.e. son, wife, friend , foster child, etc.)	Circle one	Date of Birth	Do you buy and prepare food with this person? (Circle one)
1.			Male / Female		Yes / No
2.			Male / Female		Yes / No
3.			Male / Female		Yes / No
4.			Male / Female		Yes / No
5.			Male / Female		Yes / No
6.			Male / Female		Yes / No
7.			Male / Female		Yes / No
8.			Male / Female		Yes / No
9.			Male / Female		Yes / No
10.			Male / Female		Yes / No

Income and Employment

✓ 9. Do you have or will you receive any income this month? ☐ Yes ☐ No
List all your household income below:

Name of person who gets money	How much each month?
	\$
	\$
	\$
	\$

Resources

✓ 10. How much money do you have? This includes money in bank accounts, in your home, or any other place. \$ _____

County Use Only:

Application for Food Stamp Benefits

Important Information

- The U.S. Department of Agriculture (USDA) prohibits discrimination in all of its programs and activities on the basis of race, color, sex, religion, national origin, or political beliefs. You may file a complaint if you think you have been discriminated against. If you disagree with the decision of the county, an appeal process is available to you.
- The information on this application may be shared with federal, state and local agencies only for the purposes of verifying eligibility for the Food Stamp Program. This process may include confirmation with the U.S. Citizenship and Immigration Services (USCIS) (formerly INS) of the immigration status only of those persons seeking food stamp benefits. Federal law says the USCIS cannot use the information for anything else except cases of fraud.

Signature

I certify under penalty of perjury under the laws of the United States of America and the State of California that the information I have provided on this application is true, correct and complete.	
Signature (Adult Household Member or Authorized Representative)	Date
Signature of Witness or Interpreter	Date
Signature of Eligibility Worker	Date